

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KEVIN NICKLES, et al.,	:	
	:	
Plaintiffs,	:	Civil Case No. 09-1319(RMB)
	:	
v.	:	O R D E R
	:	(CLOSED)
WARDEN E. TAYLOR,	:	
	:	
Defendant.	:	
	:	

The Court having considered Plaintiff Nickles' application to proceed in forma pauperis and file the Complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and the Court finding that the remaining Plaintiffs have not filed either the filing fee or complete in forma pauperis applications; and the Court having screened the Complaint to determine whether dismissal is warranted pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A;

It is on this **24th** day of **July** 2009,

ORDERED that the Clerk of the Court is directed to file the complaint in the above-captioned action; and it is further

ORDERED that all Plaintiffs, **except Plaintiff Nickles**, will be dismissed from this action, without prejudice, for failure to pay the filing fee or submit a complete in forma pauperis application; and it is further

ORDERED that the Clerk of the Court shall send each of the dismissed plaintiffs a blank form application to proceed in forma pauperis; if any of the dismissed plaintiffs wishes to rejoin this action, he must submit either the \$350.00 filing fee, or a complete application to proceed in forma pauperis in accordance with 28 U.S.C. § 1915(e); and it is further

ORDERED that Plaintiff Nickles may proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court is directed to file the complaint in the above-captioned action; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order by regular mail on the Attorney General for the State of New Jersey and on the administrator of the Camden County Correctional Facility; and it is further

ORDERED that Plaintiff Nickles is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in this Order pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that in each month that the amount in Plaintiff Nickles' account exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of the plaintiff shall assess, deduct from Plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income

credited to Plaintiff's account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is further

ORDERED that the complaint is hereby dismissed for failure to exhaust administrative remedies, see 42 U.S.C. § 1997e(a); and it is finally

ORDERED that the Clerk of the Court shall close this case.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge